

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) Section 191/192

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF
LAWFUL DEVELOPMENT**

Reference no.: 2026/CL/90739/E

Site: 19, Moorside Road, Dewsbury Moor, Dewsbury,
WF13 4QD

Description: Certificate of lawfulness for proposed erection of
single storey side extension and gable end extension with rear dormer

Case Officer: Laura Yeadon

Decision Reference: LAWFUL OPERATIONS GRANTED

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Emma Thompson

AUTHORISED OFFICER

Date 21-May-2026

Officer Report

[Weblink](#)

Site Description

19 Moorside Road is a two-storey semi-detached property located within an area without notation on the Kirklees Local Plan. The property is constructed from red brick with a concrete tiled roof. Amenity areas for the property are to the front and rear with a driveway to the side that spans the full length of the plot.

The surrounding area is predominantly residential.

Description of Proposal

Permission is sought for a Certificate of Lawful Development for a single storey side extension and gable end (hip to gable) with rear dormer.

The proposed single storey side extension would lie flush with the existing front and rear elevations of the property extending to the side by 2.6 metres. The eaves height would be 3 metres with an overall height of 3.9 metres to the ridge of the lean-to roof. The proposed construction materials would be brick for the walls and tiles for the roof to match the existing.

The hip to gable roof extension would have the following dimensions and resultant roof space:

Length – 3.2 metres
Depth – 7.3 metres
Height – 2.6 metres
Total roof space – $3.2 \times 7.3 \times 2.6 = 10.1\text{m}^3$

The dormer would have the following dimensions and resultant roof space:

Length – 5.3 metres
Depth – 3.0 metres
Height – 2.1 metres
Total roof space – $5.3 \times 3.0 \times 2.1 = 16.65\text{m}^3$

Therefore, the resultant roof space would be $10.1\text{m}^3 + 16.65\text{m}^3 = 26.75\text{m}^3$.

The property has not had its permitted development rights removed.

Officer Note

As part of a Certificate of Lawful Development, the onus is on the applicant to provide evidence which states why the proposal fits with the permitted development legislation. In this case, the applicant has stated on the application form that the proposal is permitted development.

History of negotiations/amendments received

The Agent was contacted during the course of the application as there was a discrepancy on the submitted plans. An updated plan was received by Officer's on 20th May 2026 and forms part of the assessment of this application.

Relevant Planning History

2026/90745 – Prior notification for single storey rear extension – Prior approval not required

Consultation Responses

None required

Issues and Assessment

The main considerations in the determination of this application are:

1. Whether the proposed development would constitute development as defined within section 55 of the Town and Country Planning Act 1990;
1. If so, whether permitted development rights apply to the property; and
2. Whether the proposed development falls within permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse).

The proposal comprises a single storey side extension, hip to gable roof enlargement and rear dormer extension. Thus, the proposal constitutes the carrying out of building on and over land that would materially affect the external appearance of the existing building. As such, it is regarded as development as defined by Section 55 of the Town and Country Planning Act 1990.

The application therefore falls to be considered under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse), Classes A and B.

Single storey side extension – Class A

Development not permitted

A.1 Development is not permitted by Class A if—

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Comment: *Permission to use the dwellinghouse as a dwellinghouse was not granted by any of the above.*

- a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Comment: *The resultant works would not result in more than 50% of the curtilage of the dwellinghouse being covered by buildings.*

- b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Comment: *The height of the enlargement would not exceed the height of the highest part of the roof of the dwellinghouse.*

- c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse

Comment: *The height of the eaves of the enlargement would not exceed the height of the eaves of the existing dwellinghouse.*

- d) The enlarged part of the dwellinghouse would extend beyond a wall which –
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (i) fronts a highway and forms a side elevation of the original dwellinghouse;

Comment: *The enlarged part of the dwellinghouse would not extend beyond the a wall forming the principle elevation of the dwellinghouse nor would it front a highway and form a side elevation of the original dwellinghouse.*

- e) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and-
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwelling, or 3 metres in the case of any other dwellinghouse.
 - (i) Exceed 4 metres in height;

Comment: *The enlarged part of the dwellinghouse would not extend beyond the rear wall of the dwellinghouse nor would it exceed 4 metres in height.*

f) For a dwelling not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single story and –

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (i) Exceed 4 metres in height

Comment: *The enlarged part of the dwellinghouse would not extend beyond the rear wall of the dwellinghouse nor would it exceed 4 metres in height.*

g) The enlarged part of the dwellinghouse would have more than a single storey and-

- (i) Extend beyond the rear wall of the dwellinghouse by more than 3 metres, or
- (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse

Comment: *The enlarged part of the dwellinghouse would not have more than a single storey.*

h) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Comment: *The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse however*

i) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would --

- (i) Exceed 4 metres in height
- (i) Have more than a single storey, or
- (ii) Have a width greater than half the width of the original dwellinghouse

Comment: *The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse. It would not exceed 4 metres in height, would not have more than a single storey and would not have a width greater than half the width of the original dwellinghouse.*

ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

Comment: *Not applicable*

- j) It would consist of or include –
- (i) The construction or provision of a verandah, balcony or raised platform
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse

Comment: *None of the above are proposed.*

- k) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Comment: *The dwellinghouse was not built under Part 20 of the Schedule.*

A.1 Development is not permitted by Class A if –

Conditions

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

- a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- a) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- b) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

A.3 Development is permitted by Class A subject to the following conditions—

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- a) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and
 - (i) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
 - (ii) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, as far as practicable, be the same as the roof pitch of the original dwellinghouse.

Dormer and hip to gable enlargement – Class B

Development not permitted

B.1 Development is not permitted by Class B if –

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Comment: *Permission to use the dwellinghouse as a dwellinghouse has not been granted by virtue of any of the above.*

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Comment: *No part of the dwellinghouse would exceed the height of the highest part of the existing roof.*

- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Comment: *No part of the works would extend beyond the plane of any existing roof slope which forms the principal elevation and fronts a highway.*

- (c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –
 - (i) 40 cubic metres in the case of a terrace house, or
 - (i) 50 cubic metres in any other case

Comment: *The dwelling is not a terraced dwelling and the cubic content of the resultant proposed works would not exceed 50 cubic metres.*

- (d) it would consist of or include –
 - (i) the construction or provision of a verandah, balcony or raised platform, or
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Comment: *The works would not include the construction of any of the above.*

- (e) the dwelling is on article 2(3) land;

Comment: *The dwelling is not on article 2(3) land.*

- (f) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) or

Comment: The dwellinghouse was not built under Part 20 of the Schedule.

- (g) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Comment: The existing dwellinghouse has not been enlarged via a Class AA development.

Conditions

B.2 Development is permitted by Class B subject to the following conditions –

- (a) the materials used in any exterior work must be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (a) the enlargement must be constructed so that –
 - (h) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof of the to the roof of a rear or side extension –
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
- (b) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Conclusion:

The proposal has been considered against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is recommended for approval.

The single storey side extension, hip to gable roof enlargement and rear dormer benefit from a general planning permission granted by virtue of Article 3(1) and Schedule 2, Part 1, Class A and Class B of the Town and Country

Planning (General Permitted Development) (England) Order 2015 (as amended) subject to conditions within Class A.3 and B.2 of the same Order.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	PP-14781422		16 th March 2026
Existing and proposed site plan	Sheet 1@A3		16 th March 2026
Existing and proposed site plan	Sheet 2@A3		16 th March 2026
Proposed front and rear elevations	Sheet 3@A3		20 th May 2026
Proposed side elevations	Sheet 4@A4		16 th March 2026

Dated: 19th May 2026